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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,471	10/07/2003	Bouryi Sze	JCLA11529	7480
23900	7590	02/28/2006		EXAMINER
J C PATENTS, INC. 4 VENTURE, SUITE 250 IRVINE, CA 92618				NGO, HUNG V
			ART UNIT	PAPER NUMBER
				2831

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/681,471	SZE ET AL.	
	<b>Examiner</b> Hung V. Ngo	<b>Art Unit</b> 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 05 December 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-13 and 15-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-13, 15-28 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

### ***Claim Objections***

Claims 12, 23 are objected to because of the following informalities: “on the ground surface” is unclear. Appropriate correction is required.

Claim 21, line 1, “the ground cells” lack antecedent basis.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-6, 20, 23-28 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 1, lines 4, 5, and claims 23, lines 7-8, “all the multi-edge ground cells are electrically isolated from each other” is unclear because of the specification page 5, line 21-22 “the ground cell 210 can be indirectly and electrically coupled together through the circuit layers.

Claims 2-6, 20, 24-28 are included because of their dependencies.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 20-22, 28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

the phrase "-like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5, 12, 13, 15, 16, 18, 20, 22-24, 26, 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Sievenpiper et al (US 2003/0010529).

Sievenpiper et al disclose having multi-edge ground cells(10) periodically, compactly and complementarily distributed on a ground surface (22), wherein all the ground cells are electrically isolated from each other at the ground cells and at least one slot exists between the two adjacent ground cells and compose of a single layer ground shield (Fig. 1) and capable of functioning as claimed (re claims 1, 15, 23),

Re claims 2, 12, an interconnection (13) between the ground cells (Fig 1).

Re claims 3, 16, 24, the ground cells have an identical cross sectional profile (Fig 1).

Re claims 5, 18, 26, the ground surface include a planar surface (Fig 1)

Re claim 13, the multi edge ground cells are portion of the ground surface (see Fig 1).

Re claims 20, 22, 28, a beehive shape (Fig 1)

Claims 7, 8, 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Kikuchi et al (US 20030021097A1).

Kikuchi et al disclose a ground shield comprising a planar ground surface (2, 3, 4), a plurality of slots (6) in a multi-edge shape, wherein the slots are distributed in the ground surface a periodic, complementary arrangement without separating the ground surface into pieces (Fig 1b) (re claims 7, 10).

Re claim 8, wherein the slots have an identical cross-sectional profile (Fig 1b).

Claims 7, 8, 10, 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Hamada (JP02016796 A).

Hamada discloses a ground shield comprising a planar ground surface (23), a plurality of slots (Fig 3) in a multi-edge shape, wherein the slots are distributed in the ground surface a periodic, complementary arrangement without separating the ground surface into pieces (Fig 3) (re claims 7, 10).

Re claim 8, wherein the slots have an identical cross-sectional profile (Fig 3).

Re claim 21, wherein the planar ground surface includes a shape being "+".

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 6, 17, 19, 25, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sievenpiper et al.

The teaching of Sievenpiper et al as discussed above does not disclose wherein the ground cells have different shapes or profiles (re claims 4, 17, 25), the ground surface includes a curved surface (re claims 6, 19, 27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the shapes, profiles, surfaces of Sievenpiper et al, since more than a mere change of form is necessary for patentability. In re Span-Deck Inc. v. Fab-Con, Inc. (CA 8, 1982) 215 USPQ 835.

Claims 9, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikuchi et al.

The teaching of Kikuchi et al as discussed above does not disclose wherein the ground cells have different shapes or profiles (re claim 9), the ground surface includes a curved surface (re claim 11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the shapes, profiles, surfaces of Kikuchi et al, since more than a mere change of form is necessary for patentability. In re Span-Deck Inc. v. Fab-Con, Inc. (CA 8, 1982) 215 USPQ 835.

***Response to Arguments***

Applicant's arguments filed 12-05-05 have been fully considered but they are not persuasive.

Applicant argues (1) that the metal plate of Sievenpiper are not arranged at the same plane, (2) the metal plates are not electrically isolated from each other.

With respect to (1) the metal plate of Sievenpiper are arranged at the same plane (Fig 1).

With respect to (2) the metal plates 10 of Sievenpiper are electrically isolated from each other because of slots (Fig 1)

Applicant's arguments with respect to claim 7 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung V. Ngo whose telephone number is (571) 272-1979. The examiner can normally be reached on Monday to Thursday 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean A. Reichard can be reached on (571) 272-2800 EXT 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HVN  
02-20-06

Hung V Ngo

**HUNG V. NGO**  
**PRIMARY EXAMINER**